

UNITED STATES DISTRICT COURT

for the
District of Maryland

FILED _____ ENTERED _____
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United States of America
v.
JAMES TYNER

Case No.

OCT 09 2015
AT BALTIMORE
CLERK, U.S. DISTRICT COURT
DISTRICT OF MARYLAND
15-2185 JMC

BY

Defendant(s)

CRIMINAL COMPLAINT

I, the complainant in this case, state that the following is true to the best of my knowledge and belief.

On or about the date(s) of August 20, 2015 in the county of Baltimore City in the
District of Maryland, the defendant(s) violated:

Code Section

Offense Description

18 U.S.C § 922(g)(1)

Felon in Possession of Firearms and Ammunition

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AT BALTIMORE
CLERK, U.S. DISTRICT COURT
DISTRICT OF MARYLAND
DEPUTY

BY

This criminal complaint is based on these facts:

See Attached Affidavit

☒ Continued on the attached sheet.

[Signature]
Complainant's signature

SA CHARRON ANDERSON, ATF

Printed name and title

Sworn to before me and signed in my presence.

Date:

10/9/15

City and state:

Baltimore, Maryland

[Signature]
Judge's signature

J. Mark Coulson, U.S. Magistrate Judge

Printed name and title

15 -21 3 5 JMC

AFFIDAVIT IN SUPPORT OF COMPLAINT AND ARREST WARRANT

Your Affiant, Charron Anderson, after being duly sworn, states as follows:

1. I am a Special Agent with the United States Department of Justice, Bureau of Alcohol, Tobacco, Firearms and Explosives ("ATF"). I have been employed with the ATF since October, 2009. I am assigned to the ATF Philadelphia Field Division, Philadelphia Group VII Firearms Enforcement, which is tasked with investigating violent crime and gun trafficking as well as individuals or groups who commit violations of federal laws. Currently I have been assigned to temporary duty (TDY) within the ATF Baltimore Field Division to work in conjunction with local, state and other federal agencies on a joint enforcement operation.

2. In my capacity as a Special Agent, I have initiated surveillance, covered and worked in an undercover capacity; covered confidential informant meets with targets, as well as executed search and seizure warrants in furtherance of ongoing investigations. I have attended training encompassing the use of cellular phones and electronic communication to facilitate criminal activities. I have participated in the investigation and prosecution of convicted felons, firearms and narcotics traffickers, and individuals involved in the possession and distribution of illicit firearms.

3. The information set forth below is drawn from my personal knowledge and observations, discussions with other ATF agents as well as other law enforcement officers and employees, and information received from witnesses, confidential sources or informants, various police reports, and public records. This affidavit does not include every fact known to me concerning the investigation, and instead contains only those facts that I believe establish probable cause to support the issuance of a complaint and warrant for the arrest of James **TYNER**.

PURPOSE

This Affidavit is made in support of an application for the issuance of a complaint and warrant for the arrest of James **TYNER** for being a felon in possession of a firearm, in violation of Title 18 of the United States Code § 922(g) on August 20, 2015. The facts in this affidavit come from my personal observations, my training and experience, and information obtained from other agents and witnesses.

PROBABLE CAUSE

4. The ATF and BPD have been conducting an investigation of Frank **CARTER** a known firearms trafficker and facilitator in the Baltimore, Maryland area. In August 2015, the ATF and BPD began investigating **CARTER** and his associates in the Western District of Baltimore City, Maryland.

5. On August 20, 2015, ATF and BPD personnel using an ATF Undercover Agent (UC) conducted the controlled purchase of an Intratec Arms, model AB10, 9mm handgun with a serial #A038005 from **TYNER**. The transaction took place in Baltimore, Maryland. **CARTER**

brokered the transaction between the UC and **TYNER** for a separate fee, and the brokerage fee was paid to **CARTER** by the UC. This purchase was both audio and video recorded.

6. On August 20, 2015 the aforementioned firearm was queried through the ATF National Firearms Tracing Center (NTC). The results of the query verified that the firearm was not manufactured in the State of Maryland. Additionally it was determined through NTC that said firearm was purchased from an a Federal Firearms Licensee (FFL), located in the State of Virginia, on **December 12, 1999**, at a Gun show in the State of North Carolina. It can therefore be concluded that the aforementioned firearm moved in and affected interstate commerce previous to its recovery during this investigation.

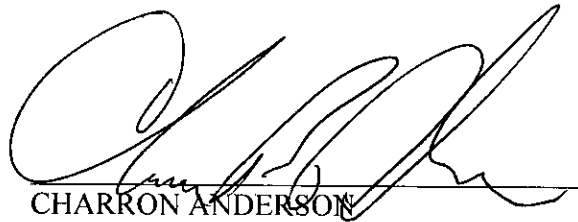
7. The firearms have been examined and appear to be capable of expelling a projectile by the action of an explosive and therefore meeting the definition of a firearm as defined by Title 18, United States Code, Section 921.

8. An NCIC query conducted on **TYNER** revealed that **TYNER** is a convicted felon, having been convicted of Second Degree Assault on December 28, 2011 in State of Maryland Circuit Court for Baltimore City. Second Degree Assault in the State of Maryland is a crime punishable by imprisonment for a term exceeding one year.

CONCLUSION

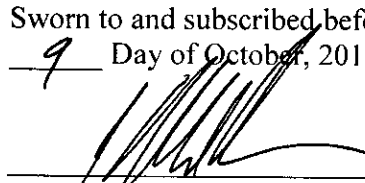
9. Having signed this affidavit under oath, as to all assertions and allegations contained herein, I state that its contents are true and correct to the best of my knowledge, information and belief.

10. Your affiant believes, based on the information provided in this affidavit, that there exists probable cause to believe that on August 20, 2015, defendant **TYNER** knowingly possessed the aforementioned firearm in violation of Title 18, United States Code, Section 922 (g)(1). Your affiant, therefore, respectfully request that a complaint and warrant be issued against **TYNER**.



CHARRON ANDERSON
Special Agent
Bureau of Alcohol, Tobacco,
Firearms and Explosives

Sworn to and subscribed before me this
9 Day of October, 2015.


Honorable J. Mark Coulson
United States Magistrate Judge

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